

# PROCEDURES FOR INCORPORATION OF A BOROUGH OR UNIFIED MUNICIPALITY

## STAGE ONE - FILING PETITION

A petition for borough incorporation may be initiated by a petition containing the names signatures and resident addresses of:

A number of resident voters equal to 15% of the number of voters who voted in the last general election residing in home rule and first class cities in the area of the proposed borough, and;

A number of resident voters equal to 15% of the number of voters who voted in the last general election residing outside home rule and first class cities in the area of the proposed borough. {AS 29.05.060}

Petition submitted to DCED  
3 AAC 110.420

DCED reviews form & content  
3 AAC 110.440

Petition returned if deficient  
3 AAC 110.440

## STAGE TWO - PUBLIC REVIEW

Public notice & service of petition is given  
3 AAC 110.450  
3 AAC 110.460

**WITHIN 7+ WEEKS OF INITIAL PUBLIC NOTICE**

Individuals may file responsive briefs & comments in favor or opposition  
3 AAC 110.480

**WITHIN 2+ WEEKS OF FILING RESPONSIVE BRIEF**

Petitioner may file reply brief  
3 AAC 110.490

--Optional--  
Petitioner may be directed by DCED to hold public informational sessions  
3 AAC 110.510

DCED conducts public meeting to address proposal  
3 AAC 110.520

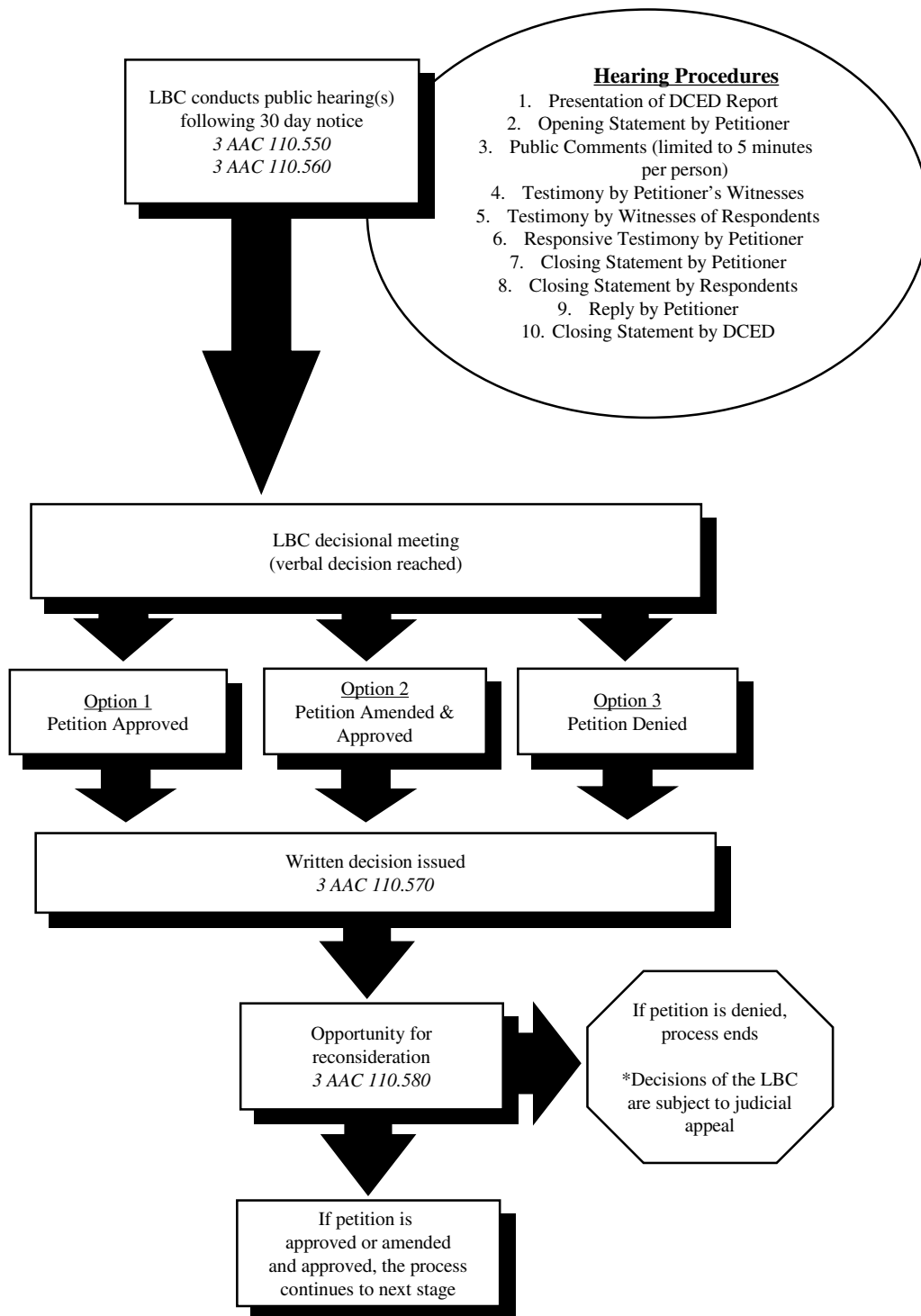
DCED distributes draft report for public review  
3 AAC 110.530

**WITHIN 4+ WEEKS OF MAILING OF DRAFT REPORT**

Comments must be submitted on DCED draft report  
3 AAC 110.530

DCED distributes final report  
3 AAC 110.530

***STAGE THREE - HEARING & DECISION BY LBC***



***STAGE FOUR - ELECTION***

If petition is accepted,  
LBC notifies State  
Division of Elections  
*AS 29.06.140*

**IMMEDIATELY**

Division of Elections orders election on incorporation,  
(charter for home rule boroughs) and assembly  
members  
*AS 29.05.110*

DCED submits Federal Voting Rights Act  
preclearance request covering the date of election and  
the proposed incorporation  
*42 U.S.C. 1973(c)*

**ELECTION HELD WITHIN 30-90  
DAYS OF ELECTION ORDER**

If a majority of votes are cast in favor,  
incorporation is approved  
and initial officials are elected.  
*AS 29.05.110*  
*AS 29.05.120*

***STAGE FIVE - TRANSITION***

The powers and duties exercised by cities and service areas that are succeeded to by a newly incorporated borough continue to be exercised by the cities and service areas until the new borough assumes the powers and functions, which may not exceed 2 years after the date of incorporation. The new borough shall give written notice of assumption of all rights, powers, duties, assets, and liabilities of the former service provider. The ordinances, rules, resolutions, regulations, procedures, and orders of the service areas remain in force in the prespective territories until superceded.

***AS 29.05.130 & AS 29.05.140***